

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DONALD L. PALMER,

Case No. 1:-00-CV-882

Petitioner,

-vs-

Judge Thomas M. Rose

MARGARET A. BAGLEY, Warden,

Chief Magistrate Judge Michael R. Merz

Respondent.

DECISION AND ORDER OVERRULING DONALD L. PALMER'S OBJECTIONS (Doc. #110) TO CHIEF MAGISTRATE JUDGE MICHAEL R. MERZ'S REPORT AND RECOMMENDATIONS (Doc. #103); ADOPTING THE CHIEF MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS IN THEIR ENTIRETY; AND TERMINATING THE CASE

This case is before the Court pursuant to Petitioner Donald L. Palmer's ("Palmer's") Objections (doc. #110) to the Report and Recommendations of Chief Magistrate Judge Michael R. Merz (doc. #110). The Report and Recommendations addresses Palmer's Petition for a Writ of Habeas Corpus filed on September 8, 2000.

Chief Magistrate Judge Merz's Report and Recommendations was filed on December 16, 2006, and Palmer's Objections were filed on February 28, 2006. The Warden did not file Objections to the Report and Recommendations but did file a Memorandum In Opposition to Palmer's Objections. Palmer, with leave of Court, filed a Reply to the Warden's Memorandum In Opposition.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds

that Palmer's objections to the Chief Magistrate Judge's Report and Recommendations are not well taken and they are hereby OVERRULED. Accordingly, the Chief Magistrate Judge's Report and Recommendations is ADOPTED in its entirety. Palmer's Petition for a Writ of Habeas Corpus is DENIED and the captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

DONE and **ORDERED** in Dayton, Ohio, this Seventeenth day of April, 2006.

s/Thomas M. Rose
THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record